

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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J.A., an infant by his mother,  
Natural Guardian TAMMY ATKINSON,  
and TAMMY ATKINSON Individually,  
Plaintiffs,

- against -

JA-RU, INC., DOLGENCORP, INC.,  
DOLGENCORP OF NEW YORK, INC. and  
DOLLAR GENERAL CORPORATION,  
Defendants.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DCC #: \_\_\_\_\_  
DATE FILED: 03/17/11

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08 Civ. 3640 (DAB)  
ADOPTION OF REPORT  
AND RECOMMENDATION

DEBORAH A. BATTES, United States District Judge.

This matter is before the Court upon the March 15, 2011 Report and Recommendation of United States Magistrate Judge Kevin N. Fox (the "Report"). Judge Fox's Report recommends that the Court grant Plaintiffs' Motion for leave to settle this action in its entirety and sign the infant compromise order appended as Exhibit D to Docket No. 16. (Report at 8.)

Pursuant to 28 U.S.C. § 636(b)(1)(C), "[w]ithin fourteen days after being served with a copy [of a Magistrate Judge's Report and Recommendation], any party may serve and file written objections to such proposed findings and recommendations..." 28 U.S.C. § 636(b)(1)(C); see also Fed. R. Civ. P. 72(b)(2). The district court may adopt those portions of the report to which no timely objection has been made, so long as there is no clear error on the face of the record. See 28 U.S.C. § 636(b)(1)(A); Wilds v.

United Parcel Serv., Inc., 262 F.Supp.2d 163, 169 (S.D.N.Y. 2003). On March 16, 2011, the Parties submitted a joint-letter indicating that they have no objections to Judge Fox's Report. (See Burke letter dated Mar. 16, 2011.)

Having reviewed the Report and Recommendation and finding no clear error on the face of the record, it is hereby

ORDERED AND ADJUDGED as follows:

1. The Report and Recommendation of United States Magistrate Judge Kevin N. Fox dated March 15, 2011 be and the same hereby is APPROVED, ADOPTED, and RATIFIED by the Court in its entirety;

2. Pursuant to Judge Fox's recommendation, on the same date as this Adoption of Judge Fox's Report and Recommendation, the Court has signed and filed the infant compromise order appended as Exhibit D to Docket No. 16; and

3. The Clerk of the Court is directed to close the docket in this case.

SO ORDERED.

DATED: New York, New York  
March 17, 2011

Deborah A. Batts

DEBORAH A. BATTES  
United States District Judge